

Trustee Decision on Student Complaint

Institution: 3147 – Stenberg College

1. Introduction

The Complainant was enrolled in the Optician Diploma Program [Program]. The Complainant filed a complaint against the Institution [Complaint] on October 13, 2025, after having been dismissed from the Program on April 3, 2025.

For the reasons outlined below I find the Institution did not mislead the Complainant regarding a significant aspect of the Program and, accordingly, deny the claim.

2. Statutory Scheme

Section 23(1) of the *Private Training Act* [PTA] provides that, a student may file a claim against the Student Tuition Protection Fund [Fund] on the ground that a certified institution misled the student regarding any significant aspect of an approved program of instruction in which that student was enrolled. Claims are filed with the Trustee, being the minister or the person to whom the minister has delegated the relevant powers or duties.

Claims must be filed no later than one year after the student completed or was dismissed or withdrew from the program and only after the student has exhausted the institution's dispute resolution process.

Following receipt of the complaint, the process is as follows:

Claim the student was misled		
Who	What	When
Trustee	Gives a copy of the claim to the institution	As soon as practicable
Institution	May respond to the claim [Response]	Within 15 days of receiving a copy of the claim from the Trustee
Trustee	Gives the Response from the institution, if any, to the student	Within 15 days of receiving the Response from the institution
Student	May reply to the Response from the institution [Reply]	Within 15 days of receiving the Response from the Trustee
Trustee	Must give the Reply from the student, if any, to the institution	Within 15 days of receiving the Reply from the student
Trustee	Adjudicates the claim to determine whether any refund should be issued, and provides written reasons to the student, the institution, and the registrar.	

If a claim is approved, the Trustee may authorize payment from the Fund of all or a portion of the tuition paid to the institution by or on behalf of the student. Section 25(4) of the *Fees and Student Tuition Protection Fund Regulation* requires that payments from the Fund be directed first to the government if all or a portion of the tuition was paid using funds from a provincial or federal student assistance program, and then to the claimant.

3. Program Information

Program:	Optician Diploma
Student enrolment contract #1:	
Start date:	November 6, 2023
End date:	December 2, 2024
Dismissal date:	April 9, 2024
Student enrolment Contract #2:	
Start date:	July 15, 2024
End date:	May 26, 2025
Dismissal date:	April 3, 2025
Total charged:	\$ 18,933.88
Tuition:	\$ 16,103
Registration Fee:	\$ 150
Text & Supplies Fee:	\$ 2,153.63
Student Fee:	\$ 827.25
Discount:	\$ 1,500
Reentry Fee:	\$ 1,200
Amount paid to date by Complainant:	\$ 18,933.88
Amount of tuition paid to date by Complainant:	\$ 14,603

4. Issues

The following issues arise for consideration: Was the Complainant misled in relation to her treatment during the Program and ultimate dismissal from the Program?

5. Chronology

November 6, 2023	Complainant starts Program online
February 29 – March 29, 2024	Complainant attends in-person Eyeglasses Lab
March 7, 2024	Institution issues alert re: professionalism and behavior in lab setting
March 13, 2024	Letter of Expectation due to “inability to follow instruction” and “unprofessional conduct”
April 9, 2024	Dismissal #1 for failing Eyeglasses Lab exam and re-write
July 15, 2024	Complainant re-enters Program
September – October, 2024	Complainant successfully completes Eyeglasses Lab
September 11, 2024	Institution issues unprofessional misconduct alert for not following instructor’s instructions and lab procedures
February 6, 2025	Unsubstantiated cheating allegation against Complainant; Institution apologizes
February 8 – March 8, 2025	Complainant attends in-person Contact Lens Lab
February 12, 2025	Institution issues unprofessional misconduct alert for placing lens in own eye contrary to lab instructions
February 13, 2025	Complainant placed on academic probation

February 21, 2025	Slit lamp photo of Complainant's eye taken and displayed in class leading to public disclosure of her eye condition
February 25, 2025	Institution issues alert re: safety incident – improper fluorescein instillation technique resulting in corneal injury to another student
February 28, 2025	Miscommunication incident between Complainant and assigned lab partner
March 6, 2025	Institution issues alert re: importance of effective communication and role adherence during lab group work
March 7, 2025	Institution issues alert for violating rules during Contact Lens Lab exam
March 18, 2025	Institution denies Complainant's informal grade appeal
April 2, 2025	Institution denies Complainant's formal grade appeal
April 3, 2025	Dismissal #2 for failing Contact Lens Lab
September 21, 2025	Complainant initiates DRP regarding dismissal and requests full refund
October 10, 2025	Institution denies request for refund; makes settlement offer \$1,200
October 13, 2025	Complainant files Complaint with PTIRU
October 28, 2025	Complainant requests the matter be escalated to next stage of DRP; rejects settlement offer

6. Analysis

The Complainant started the online portion of the Program on November 6, 2023. Her challenges began with the Eyeglasses Lab in February 2024. During this period, the Institution issued the Complainant an alert regarding professionalism and behavior in a lab setting and a Letter of Expectation due to her “inability to follow instruction” and “unprofessional conduct”. The Complainant failed the Eyeglasses Lab and, on April 9, 2024, was dismissed from the Program. She re-entered the Program in July, and while she successfully completed the Eyeglasses Lab in October 2024, this second attempt was not without issues. Specifically, the Institution issued an alert on September 11, 2024, for the Complainant's failure to follow instructions and lab procedures. The Complainant says she disclosed a May 2024 diagnosis of keratoconus to an instructor and was met with a dismissive response questioning her ability to complete the course. She says that after requesting better lighting and working hard, she passed the Eyeglasses Lab.

The Complainant continued to experience difficulties during the Contact Lens Lab, which was held February 8-March 8, 2025. There were multiple incidents resulting in the Institution issuing four alerts and placing the Complainant on academic probation. The Complainant failed the Contact Lens Lab, unsuccessfully appealed her grade and was dismissed from the Program for a second time on April 3, 2025.

The Complainant claims the learning environment was not respectful or student-centered as promised. She says she experienced racism and harassment and was the subject of repeated unnecessary disciplinary alerts. During the Contact Lens Lab, she says she made an honest mistake by inserting a lens in her own eye, believing permission was allowed, apologized immediately, later struggled to remove it, and felt the instructor ignored her requests for help. Following the incident, she says she felt constantly scrutinized, experienced a hostile environment, and believed her condition and anxiety were used against her. She alleges instructors lacked formal teaching qualifications and proper training to support students with challenges like anxiety or vision impairments.

In her Reply, she claims she completed all academic and practical requirements, that safety concerns were

inconsistent, participation grading was unfair due to peers' refusal to partner, disclosures were misrepresented, communication criticisms were vague and influenced by language barriers, accommodations were limited or withdrawn, appeals were dismissed, and tuition collection was prioritized over fairness. Finally, she cites passing the National Alliance of Canadian Optician Regulators (NACOR) exams as proof of competence.

The Institution denies misleading the Complainant as alleged, or at all, and submits that the concerns raised by the Complainant do not relate to being misled regarding a significant aspect of the Program. Rather, "...[t]he issues presented involve academic performance, assessments, interpersonal conflict, and dissatisfaction with instructor interactions, all of which were addressed through the established academic, conduct, and dispute-resolution procedures".

The Institution submits its instructors meet required qualifications and the Complainant never requested formal accommodation. It says the alerts and faculty interactions complained about were grounded in concerns about the Complainant's safety, performance and communication. It denies that it misled the Complainant or treated her unfairly.

7. Decision

For the following reasons, I find the Complainant was not misled in relation to either her treatment during the Program or her dismissal and deny the claim.

As a preliminary matter, the Institution submits that because the Complainant did not escalate her dispute to Stage IV of its internal process, the DRP was not exhausted:

After reviewing all materials provided by the student, as well as related institutional records including academic evaluations, alerts, appeal outcomes, email correspondence, and documentation from the Dispute Resolution process, we have determined that the student did not exhaust the institution's Dispute Resolution process. **While she advanced through Stage III and received a formal written decision, she did not submit a Stage IV dispute** despite being provided with the opportunity, instructions, and point of contact required to do so. **[Emphasis added]**

I have determined that even without progressing through all the steps outlined in the DRP, the Complainant exhausted the DRP within the meaning of PTA 23(4). The Institution does not dispute that the Complainant initiated the DRP and brought forward her concerns and the Institution issued a formal written decision denying her request for a tuition refund. This is a sufficient basis for me to conclude that the DRP was exhausted.

I remind the Institution that PTR 62(1) limits the DRP to a maximum of two steps and that a final decision must be issued within 30 days of the complaint being made. In addition, PTR 62(2) requires institutions to ensure the DRP is fair and reasonable.

I turn now to consideration on the merits.

The Complainant's allegations of being misled lack specificity and are rooted in her general disagreement with how the Institution responded to various incidents during the Labs and exercised its disciplinary process, ultimately resulting in her dismissal.

My jurisdiction under the PTA is relatively narrow and is limited by PTA 23(1)(b) to consideration of misleading conduct by the Institution in relation to a significant aspect of the program. The Complainant alleges harassment; failure to accommodate; discrimination; and a "hostile" learning environment, all of which she says goes against a promise of a "student-centered" and "respectful" environment. While I accept that the Complainant felt singled out and mistreated, such allegations fall outside of my jurisdiction and I make no findings on whether the Complainant experienced discrimination or harassment during the Program.

Similarly, my role as Trustee is not to determine whether disciplinary action (including dismissal) taken by the Institution was justified or fair. This is not an appeal of the dismissal decision.

I find, based on the record before me, that the Institution did not mislead the Complainant with respect to a significant aspect of the Program. The record reflects the Institution's efforts to communicate to the Complainant various performance concerns and expectations throughout the Program. The dismissal was proceeded by numerous disciplinary alerts and would not have come as a surprise to the Complainant. I agree with the Institution's submission that the issues complained about relate to academic performance and interpersonal conflicts and do not amount to a claim that the Complainant was misled.

The claim is denied.

This decision is final. The Trustee does not have authority to re-open or reconsider the decision and there is no appeal under the PTA. Parties may wish to seek legal advice regarding a judicial review by the BC Supreme Court.

12 June 2026



Joanna White

Trustee, Student Tuition Protection Fund